

UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Roger Farnholtz Confirmation No.: 9216  
Serial No.: 10/804,360 Examiner: Aarti Bhatia  
Filing Date: March 19, 2004 Group Art Unit: 3709  
Docket No.: 1001.1690102 Customer No.: 28075  
For: TORQUEABLE AND DEFLECTABLE MEDICAL DEVICE SHAFT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TERMINAL DISCLAIMER TO OBVIATE DOUBLE PATENTING**  
**REJECTION OVER A PRIOR PATENT (37 C.F.R. § 1.321(c))**

**CERTIFICATE FOR ELECTRONIC TRANSMISSION:**

The undersigned hereby certifies that this paper or papers, as described herein, are being electronically transmitted to the U.S. Patent and Trademark Office on this 21st day of December 2007.

By \_\_\_\_\_

  
Kathleen L. Boekley

Dear Sir:

The owner, Boston Scientific Scimed, Inc., having full interest in the instant application, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,716,207. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full

statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent, as "the term of the prior patent is presently shortened by any terminal disclaimer," in the event that the prior patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney of record.

Applicant authorizes the terminal disclaimer fee of \$130 to be charged to Deposit Account No. 50-0413.

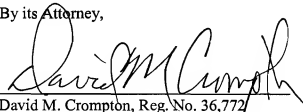
Respectfully submitted,

BOSTON SCIENTIFIC SCIMED, INC.

By its Attorney,

Date: \_\_\_\_\_

12/21/07

  
David M. Crompton, Reg. No. 36,772  
CROMPTON, SEAGER & TUFTE, LLC  
1221 Nicollet Avenue, Suite 800  
Minneapolis, MN 55403-2420  
Telephone: (612) 677-9050  
Facsimile: (612) 359-9349